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SERVICE DATE— LATE RELEASE JULY 24, 2015

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 167 (Sub-No. 1189X)

CONSOLIDATED RAIL CORPORATION—ABANDONMENT EXEMPTION—IN HUDSON
COUNTY, NJ

Docket No. AB 55 (Sub-No. 686X)

CSX TRANSPORTATION, INC.—DISCONTINUANCE OF SERVICE EXEMPTION—IN
HUDSON COUNTY, NJ

Docket No. AB 290 (Sub-No. 306X)

NORFOLK SOUTHERN RAILWAY COMPANY—DISCONTINUANCE OF SERVICE
EXEMPTION—IN HUDSON COUNTY, NJ

Decided: July 24, 2015

On July 14, 2015, James Riffin (Riffin) submitted to the Surface Transportation Board (Board) a document entitled “James Riffin’s Certification Regarding Service of His Pleadings” in the above-referenced case. In this document, Riffin states, “Riffin left each party a message, stating that if they wanted to receive service of any of Riffin’s pleadings, they needed to telephone him, and needed to tell Riffin that they desired service of Riffin’s pleadings.”

The Board’s service requirements can be found at 49 C.F.R. § 1104.12, which provides that service of any document filed with the Board must be made on all parties to the proceeding. Service via email is only acceptable with the permission of the receiving party; otherwise, personal service must be made. First-class or express mail service is only available if personal service is not feasible. 49 C.F.R. § 1104.12(a).

Accordingly, Riffin must still serve each party in accordance with 49 C.F.R. § 1104.12. The Board will not accept any filing that does not contain the required certificate indicating that all parties have been served pursuant to the Board’s regulations.¹

¹ This includes any documents Riffin has recently attempted to file that do not comport with our regulations, including, but not limited to: “James Riffin’s Reply to Jersey City’s, et al.’s Motion to Strike Riffin’s Notice of Intent to File an OFA”; and “Confidential Portion of James Riffin’s Reply to Jersey City’s, et al.’s Motion to Strike Riffin’s Notice of Intent to File an OFA.”

It is ordered:

1. All documents filed before the Board must be served in accordance with 49 C.F.R. § 1104.12 and contain an appropriate certificate of service.
2. This decision is effective on its date of service.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.